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3 UNITED STATES DISTRICT COURT  
4 DISTRICT OF NEVADA

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6 KENNETH L MARTIN,  
7 Plaintiff,  
8 v.  
9 STEVEN SISOLAK, et al.,  
10 Defendants.  
11

Case No. 2:19-cv-00925-RFB-DJA

**ORDER**

12 Presently before the Court is plaintiff Kenneth L. Martin's third application to proceed *in*  
13 *forma pauperis* (ECF No. 9), filed August 8, 2019. The Court denied Plaintiff's first application  
14 to proceed *in forma pauperis* for failure to fully complete the first page of the application and for  
15 failure to provide an inmate account statement from the last six months. (ECF No. 3). The Court  
16 also denied Plaintiff's second application to proceed in forma pauperis because it did not include  
17 an inmate account statement for the last six months.

18 Plaintiff **third** application is now before the Court and it is also incomplete. Under 28  
19 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, an incarcerated plaintiff seeking to proceed without  
20 paying the filing fee must complete an application to proceed IFP and attach (1) an inmate  
21 account statement for the past six months, and (2) a financial certificate from the institution where  
22 he is incarcerated certifying the amount of funds in plaintiff's inmate trust account at the  
23 institution. If the plaintiff has been incarcerated at the institution for fewer than six months, the  
24 certificate must show the account's activity for the shortened period. LSR 1-2.

25 Here, Plaintiff's third IFP application is incomplete because although he indicates in  
26 response to question 1 that he is not employed, he does not complete 1(b) that requests the date of  
27 last employment and the amount of the salary or wages per month that he received.  
28

Additionally, Plaintiff did not submit an inmate account statement for the past six months. The Court therefore will deny Plaintiff's IFP application without prejudice. The Court will provide Plaintiff with **one final opportunity** to properly complete his IFP application or pay the full filing fee for this action. If Plaintiff chooses to file a fourth IFP application, then he must file a complete application including all the documents referenced in this Order.

Moreover, the Court notes that Plaintiff has been provided multiple opportunities to correct the deficiencies in his IFP application. In fact, he previously filed *Martin v. Henderson Police Department et al.*, Case No. 2:19-cv-839-RFB-DJA, and included a deficient IFP application in that case. Despite the Court's Orders, Plaintiff has failed to take advantage of the multiple opportunities to submit the required information to proceed IFP and his future failure to timely comply with this order may result in a recommendation that this case be dismissed

IT IS THEREFORE ORDERED that Plaintiff's Second Application to Proceed In Forma Pauperis (ECF No. 6) is **denied without prejudice**.

IT IS FURTHER ORDERED that Plaintiff's Third Application to Proceed In Forma Pauperis (ECF No. 9) is **denied without prejudice**.

IT IS FURTHER ORDERED that the Clerk of Court must send Plaintiff a blank application to proceed in forma pauperis by an inmate as well as the accompanying instruction packet.

IT IS FURTHER ORDERED that by January 15, 2020, plaintiff must either: (1) file a complete application to proceed in forma pauperis, on the correct form with complete financial attachments, or (2) pay the full \$400 fee for filing a civil action, which includes the \$350 filing fee and the \$50 administrative fee.

IT IS FURTHER ORDERED that failure to timely comply with this order may result in a recommendation that this case be dismissed.

DATED: December 17, 2019

  
DANIEL J. ALBREGTS  
UNITED STATES MAGISTRATE JUDGE